REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claim 15 has been canceled and claims 1-14 and 16-69 are pending.

Drawing Objection

The drawings are objected to for a duplicate reference character in Fig. 8 (*Office Action* p.2). A new set of formal drawings is provided herewith including an appropriate amendment to Fig. 8. Applicant respectfully requests that the objection to the drawings be withdrawn.

Claim Objection

Claim 15 is objected to as being of improper dependent form (*Office Action* p.2). Claim 15 has been canceled herein and Applicant respectfully requests that the objection to claim 15 be withdrawn.

35 U.S.C. §102 Claim Rejections

Claims 1-9, 11-20, 22-24, 26-31, 33-44, 46-47, 49, and 52-58 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,942,707 to Tamura (hereinafter, "Tamura") (*Office Action* p.3). Claim 15 is canceled. Applicant respectfully traverses the rejection.

<u>Claim 1</u> recites a method comprising:

providing an audio content component for each source of audio content, each audio content component generating event instructions from the received audio content;

processing the event instructions to produce audio instructions;

providing one or more audio rendition managers, each audio rendition manager corresponding to an audio rendition; and

routing the audio instructions to the one or more audio rendition managers, wherein the audio rendition managers process the audio instructions to render the corresponding audio renditions.

Tamura does not show or disclose audio rendition managers as recited in claim 1. Tamura describes a system that includes music data, a MIDI input interface, and a sound source that processes MIDI events and stores the processed data with memory buffers (*Tamura* col.1 – col.7). The system described in Tamura is essentially described in the background of the subject application as a conventional audio and music generation system described with reference to Applicant's Fig. 1 (*Specification* p.5, line 4 – p.7, line 17). For example, a synthesizer 102 (e.g., Tamura's sound source) receives MIDI inputs 120 on synthesizer channels 108 and outputs processed audio data to an audio buffer 106 (*Specification* p.5, lines 4-13).

The Office states that a "sound source" in Tamura designates an audio rendition component (*Office Action* p.3). However, a "sound source" in Tamura is not an audio rendition manager, as recited in claim 1. Tamura describes a "sound source" as a synthesizer component which is described in the background of the subject application (*Specification* p.5, lines 4-13). For example, Tamura describes

that a sound source module processes MIDI events (col.1, lines 26-38), and has channels to sound music tones (col.3, lines 18-21; col.4, lines 46-48). Further, the Office recognizes that the sound source in Tamura includes a DSP (digital signal processor) and that the DSP is a synthesizer component (*Office Action* p.6).

Tamura does not show or disclose an audio rendition manager as recited in claim 1, and as described with reference to Applicant's Fig. 3. Further, Tamura does not describe or show any system that includes multiple audio rendition managers as recited in claim 1, and as described with reference to Applicant's Fig. 5. Accordingly, claim 1 is allowable over Tamura and Applicant respectfully requests that the §102 rejection be withdrawn.

Claims 2-9, 11-20, and 22-24 are allowable by virtue of their dependency upon claim 1 (either directly or indirectly). Additionally, some or all of claims 2-9, 11-20, and 22-24 are allowable over Tamura for independent reasons. For example:

Claim 2 recites "each audio content component is a component object having an interface that is callable by a software component, the software component directing said generating the event instructions."

Tamura, does not show or disclose an audio content component that is a component object having a callable interface, as recited in claim 2. The Office states that Tamura teaches hardware and software implementations are analogous (*Office Action* p.3; *Tamura* col.1, lines 26-31). However, this reference is to a sound source and Tamura only states that a sound source module can be a hardware device or software (*Tamura* col.1, lines 26-31). There is no discussion of an audio content

component that is a component object having a callable interface, as recited in claim 2. Accordingly, claim 2 is allowable over Tamura and the §102 rejection should be withdrawn.

Claims 3 and 4 also recite a component object having an interface that is callable by a software component. As described above in the response to the rejection of claim 2, Tamura does not describe any such component objects in an audio generation system that have a callable interface, as recited in claims 3 and 4. Accordingly, claims 3 and 4 are allowable over Tamura and the §102 rejection should be withdrawn.

Claim 5 recites "providing a performance manager that performs said providing an audio content component for each source of audio content, and performs said providing the one or more audio rendition managers."

Tamura does not show or disclose a performance manager as recited in claim 5. The Office states that Tamura teaches the use of software to instantiate a plurality of audio rendition managers (*Office Action* p.4; *Tamura* col.6, lines 28-32; col.19, lines 61-64). Applicant disagrees because the cited sections of Tamura do not describe a performance manager, an audio rendition manager, or a plurality of audio rendition managers.

Tamura only describes a hard disk to store waveform data, an operating system, and various application programs (*Tamura* col.6, lines 28-32). There is no indication whatsoever of a performance manager or of an audio rendition manager as recited in claim 5. Further, claim 7 of Tamura only describes an apparatus that includes a player module, a driver module, a sound source module, and a timing module (*Tamura* col.19, lines 61-64). Neither of these modules listed in Tamura

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is a performance manager that provides one or more audio rendition managers, as recited in claim 5. Further, neither of these modules listed in Tamura is an audio rendition manager, as recited in claim 5.

Accordingly, claim 5 is allowable over Tamura and the §102 rejection should be withdrawn.

Claim 26 recites "providing a performance manager" and "providing one or more audio rendition managers, each audio rendition manager corresponding to an audio rendition". Similarly:

Claim 49 recites an audio generation system comprising "a performance manager having an audio content component that generates event instructions from audio content received from one or more sources, the performance manager configured to process the event instructions to produce audio instructions", and "an audio rendition manager that corresponds to an audio rendition, the audio rendition manager configured to receive the audio instructions and process the audio instructions to render the corresponding audio rendition."

As described above in the response to the rejection of claims 1 and 5, Tamura does not show or disclose a performance manager, an audio rendition manager, or multiple audio rendition managers, as recited in independent claims 26 and 49. Accordingly, claims 26 and 49 are allowable over Tamura and Applicant respectfully requests that the §102 rejection be withdrawn.

Claims 27-31, 33-44, and 46-47 are allowable by virtue of their dependency upon claim 26 (either directly or indirectly). Additionally, some or all of claims 27-31, 33-44, and 46-47 are allowable over Tamura for independent reasons.

Claims 52-58 are allowable by virtue of their dependency upon claim 49. Additionally, some or all of claims 52-58 are allowable over Tamura for independent reasons.

35 U.S.C. §103 Claim Rejections

Claims 10 and 32 are rejected under 35 U.S.C. §103(a) for obviousness over Tamura in view of U.S. Patent No. 5,842,014 to Brooks et al. (hereinafter, "Brooks") (*Office Action* p.10). Applicant respectfully traverses the rejection.

Claims 21, 25, 45, 48, 50-51, and 59-69 are rejected under 35 U.S.C. §103(a) for obviousness over Tamura in view of Brooks, and further in view of U.S. Patent No. 5,852,251 to Su et al. (hereinafter, "Su") (*Office Action* p.10). Applicant respectfully traverses the rejection.

Claims 10 and 32 recite that "the audio content includes digital audio samples". Brooks is cited by the Office for teaching digital audio samples (*Office Action* p.10). However, Brooks is not cited for the deficiencies of Tamura as described above in response to the §102 rejections. Accordingly:

Claim 10 is allowable over the Tamura-Brooks combination by virtue of its dependency upon claim 1 which is allowable over Tamura for at least the reasons described above in response to the §102 rejection of claim 1.

Claim 32 is allowable over the Tamura-Brooks combination by virtue of its dependency upon claim 26 which is allowable over Tamura for at least the reasons described above in response to the §102 rejection of claim 26.

Claims 21 and 25 are allowable by virtue of their dependency upon claim 1 which is allowable over Tamura for at least the reasons described above in response to the §102 rejection of claim 1. Claims 21 and 25 are also allowable over the Tamura-Brooks-Su combination because Brooks and/or Su do not address the deficiencies of Tamura as described above in the response to the rejection of claim 1.

Claims 45 and 48 are allowable by virtue of their dependency upon claim 26 which is allowable over Tamura for at least the reasons described above in response to the §102 rejection of claim 26. Claims 45 and 48 are also allowable over the Tamura-Brooks-Su combination because Brooks and/or Su do not address the deficiencies of Tamura as described above in the response to the rejection of claim 26.

Claims 50-51 and 59-60 are allowable by virtue of their dependency upon claim 49 which is allowable over Tamura for at least the reasons described above in response to the §102 rejection of claim 49. Claims 50-51 and 59-60 are also allowable over the Tamura-Brooks-Su combination because Brooks and/or Su do not address the deficiencies of Tamura as described above in the response to the rejection of claim 49.

Claim 61 recites an audio rendition manager comprising "a synthesizer component having one or more channel groups, each channel group having a plurality of synthesizer channels configured to receive audio instructions and produce one or more streams of audio wave data from the received audio instructions".

The Office only rejects claim 61 in view of Tamura, and states that Tamura teaches the use of an audio buffer for each channel (*Office Action* p.12; *Tamura* col.3, lines 45-47). However, Tamura does not show or disclose a synthesizer component having one or more channel groups, as recited in claim 61, and as described with reference to Applicant's Fig. 4.

The Office has not rejected the feature of a synthesizer component having one or more channel groups, as recited in claim 61, in view of Tamura, Brooks, and/or Su. Accordingly, claim 61 is allowable over the Tamura-Brooks-Su combination and the §103 rejection should be withdrawn.

Claims 62-69 are allowable by virtue of their dependency upon claim 61. Additionally, some or all of claims 62-69 are allowable over the Tamura-Brooks-Su combination for independent reasons.

Conclusion

Pending claims 1-14 and 16-69 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. If any issues remain that preclude issuance of this application, the Examiner is urged to contact the undersigned attorney before issuing a subsequent Action.

Respectfully Submitted,

Dated: March 3, 2005   By: _____

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